

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No.: 23-80063-CR-MIDDLEBROOKS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL DOLCE,

Defendant.

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**JOINT MOTION TO CONTINUE TRIAL DATE**

COMES NOW the Defendant, Michael Dolce, by and through the undersigned counsel, and moves this Honorable Court to continue the trial date in the above-styled matter and states the following in support thereof:

1. On April 4, 2023, Michael Dolce (the “Defendant”) was indicted on one (1) count of possessing child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B). (DE 8)

2. A calendar call in this case has been set for May 3, 2023, and a Jury Trial is scheduled during the two-week period commencing May 8, 2023, at 9:00 a.m. (D.E. 9)

3. Prior to the Indictment in this case, several search warrants were issued and executed at the Defendant’s residence resulting in the seizing of nearly a dozen

digital devices including computers, flash drives and other electronic media. The search warrants to seize and search through these items included the implementation of extensive filter protocols prior to the government's prosecution team receiving any evidence discovered through such searches. A filter team presently is working with counsel for the Defendant and counsel for the Defendant's employer to properly execute the filter protocols.

4. Unfortunately, the filter team has not nearly completed its review of materials which has impacted the ability of the government and the Defendant to ascertain all the evidence in this case, conduct any meaningful discovery or motion practice, or ascertain whether there is exculpatory evidence. Thus, neither party is presently prepared for trial, nor will they be for an extended period of time.

5. The parties anticipate it will be many months before the filter team is able to appropriately parse out confidential information prior to providing all other material relevant to the charged crimes to the trial team and then to the defense for discovery purposes. This is because the digital media items are very large, with a combined size of several terabytes.

6. The government has provided it will deliver the limited discovery that it does have access to within the time set by the paperless standing discovery order in this case. (D.E. 11).

7. There have been no prior continuances sought or granted in this case.

8. Counsel for the United States of America and Mr. Dolce request additional time to prepare for trial and are seeking to reset the calendar call and set the trial in this matter to begin on September 4, 2023.<sup>1</sup>

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULES**

9. The undersigned hereby certifies that he has contacted Assistant United States Attorney Gregory Schiller, who has indicated the government joins this request and authorizes the instant motion to be styled a “Joint Motion to Continue”.

WHEREFORE, the undersigned respectfully requests that this Honorable Court grant this Motion to Continue the trial date in this matter to September 4, 2023.

Date: April 21, 2023

Respectfully submitted,

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<sup>1</sup> Counsel for the Defendant has a long-planned family vacation outside Florida commencing June 7, 2023, through June 20, 2023, and requests this case not be set for anytime therein.

**CERTIFICATE OF SERVICE**

I hereby certify that on April 21, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Leonard S. Feuer  
Leonard S. Feuer, Esq.  
Florida Bar No.: 501751